

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF WISCONSIN
MILWAUKEE DIVISION

SCOTT WEAVER, Individually and
on Behalf of All Others Similarly Situated,

Plaintiff,

v.

Case No. 2:18-cv-1996-JPS

CHAMPION PETFOODS USA INC. and
CHAMPION PETFOODS LP,

Defendants.

**DECLARATION OF DAVID A. COULSON IN SUPPORT OF DEFENDANTS'
RESPONSE IN OPPOSITION TO PLAINTIFF'S MOTION FOR CLASS
CERTIFICATION**

I, DAVID A. COULSON, declare and state as follows:

1. I am an attorney at GREENBERG TRAURIG, P.A. I represent Defendants Champion Petfoods USA Inc. and Champion Petfoods LP (collectively, "Champion") and submit this declaration in support of Defendants' Response in Opposition to Plaintiff's Motion for Class Certification. This declaration is based on my personal knowledge and review of my files.

2. Attached as "**Exhibit A**" is a true and correct copy of a Declaration of Chinedu Ogbonna.

3. Attached as "**Exhibit A-1**" is a true and correct copy of the American Association of Feed Control Officials ("AAFCO") definitions of the words, "fresh" and "raw."

4. Attached as "**Exhibit A-2**" is a true and correct copy of the AAFCO regulation pertaining to the phrase, "made with."

5. Attached as “**Exhibit A-3**” is a true and correct copy of the electronic page view history of Champion’s White Paper.

6. Attached as “**Exhibit B**” is a true and correct copy of an excerpt of the deposition of Peter Muhlenfeld taken on November 13, 2018.

7. Attached as “**Exhibit C**” is a true and correct copy of an excerpt of the deposition of Peter Muhlenfeld taken on December 4, 2018.

8. Attached as “**Exhibit D**” is a true and correct copy of an excerpt of the deposition of Jeff Johnston.

9. Attached as “**Exhibit E**” is a true and correct copy of a Declaration of Christopher Milam.

10. Attached as “**Exhibit E-1**” is a true and correct copy of a 2016-2017 DogStar package of the Champion dog food diet, ORIJEN Six Fish.

11. Attached as “**Exhibit E-2**” is a true and correct copy of a 2016-2017 DogStar package of the Champion dog food diet, ACANA Regionals Wild Atlantic.

12. Attached as “**Exhibit E-3**” is a true and correct copy of a 2016-2017 DogStar package of the Champion dog food diet, ACANA Heritage Free-Run Poultry.

13. Attached as “**Exhibit E-4**” is a true and correct copy of a 2016-2017 DogStar package of the Champion dog food diet, ACANA Regionals Meadowland.

14. Attached as “**Exhibit E-5**” is a true and correct copy of a 2016-2017 DogStar package of the Champion dog food diet, ORIJEN Puppy.

15. Attached as “**Exhibit E-6**” is a true and correct copy of a 2016-2017 DogStar package of the Champion dog food diet, ORIJEN Puppy Large.

16. Attached as “**Exhibit E-7**” is a true and correct copy of a 2016-2017 DogStar package of the Champion dog food diet, ORIJEN Regional Red.

17. Attached as “**Exhibit E-8**” is a true and correct copy of a 2016-2017 DogStar package of the Champion dog food diet, ACANA Singles Duck & Pear.

18. Attached as “**Exhibit E-9**” is a true and correct copy of a 2016-2017 DogStar package of the Champion dog food diet, ACANA Heritage Freshwater Fish.

19. Attached as “**Exhibit E-10**” is a true and correct copy of a 2016-2017 DogStar package of the Champion dog food diet, ORIJEN Original.

20. Attached as “**Exhibit E-11**” is a true and correct copy of a 2016-2017 DogStar package of the Champion dog food diet, ACANA Regionals Grasslands.

21. Attached as “**Exhibit E-12**” is a true and correct copy of a 2016-2017 DogStar package of the Champion dog food diet, ACANA Singles Pork & Squash.

22. Attached as “**Exhibit E-13**” is a true and correct copy of a 2016-2017 NorthStar package of the Champion dog food diet, ACANA Singles Duck & Pear.

23. Attached as “**Exhibit E-14**” is a true and correct copy of a 2016-2017 DogStar package of the Champion dog food diet, ACANA Regionals Appalachian Ranch.

24. Attached as “**Exhibit E-15**” is a true and correct copy of a 2016-2017 NorthStar package of the Champion dog food diet, ACANA Regionals Ranchlands.

25. Attached as “**Exhibit E-16**” is a true and correct copy of a 2016-2017 DogStar package of the Champion dog food diet, ORIJEN Senior.

26. Attached as “**Exhibit E-17**” is a true and correct copy of a 2018 DogStar package of the Champion dog food diet, ACANA Singles Pork & Squash.

27. Attached as “**Exhibit E-18**” is a true and correct copy of a 2018 DogStar package of the Champion dog food diet, ACANA Heritage Free-Run Poultry.
28. Attached as “**Exhibit E-19**” is a true and correct copy of a 2016-2017 DogStar package of the Champion dog food diet, ACANA Singles Lamb & Apple.
29. Attached as “**Exhibit F**” is a true and correct copy of a Declaration of Richard Raposo.
30. Attached as “**Exhibit F-1**” is a true and correct copy of a 2013-2015 NorthStar package of the Champion dog food diet, ORIEN Puppy.
31. Attached as “**Exhibit F-2**” is a true and correct copy of a 2013-2015 NorthStar package of the Champion dog food diet, ACANA Puppy & Junior.
32. Attached as “**Exhibit F-3**” is a true and correct copy of a 2013-2015 NorthStar package of the Champion dog food diet, ACANA Chicken & Burbank Potato.
33. Attached as “**Exhibit F-4**” is a true and correct copy of a 2013-2015 NorthStar package of the Champion dog food diet, ACANA Light & Fit.
34. Attached as “**Exhibit F-5**” is a true and correct copy of a 2013-2015 NorthStar package of the Champion dog food diet, ACANA Pacifica.
35. Attached as “**Exhibit F-6**” is a true and correct copy of a 2013-2015 NorthStar package of the Champion dog food diet, ORIEN Regional Red.
36. Attached as “**Exhibit F-7**” is a true and correct copy of a 2013-2015 NorthStar package of the Champion dog food diet, ORIEN Six Fish.
37. Attached as “**Exhibit F-8**” is a true and correct copy of a 2014-2015 NorthStar package of the Champion dog food diet, ACANA Singles Duck & Pear.

38. Attached as “**Exhibit F-9**” is a true and correct copy of a 2013-2015 NorthStar package of the Champion dog food diet, ORIJEN Senior.

39. Attached as “**Exhibit F-10**” is a true and correct copy of a 2016-2017 NorthStar package of the Champion dog food diet, ACANA Singles Duck & Pear.

40. Attached as “**Exhibit F-11**” is a true and correct copy of a 2013-2015 NorthStar package of the Champion dog food diet, ACANA Regionals Ranchlands.

41. Attached as “**Exhibit F-12**” is a true and correct copy of a 2016-2017 NorthStar package of the Champion dog food diet, ACANA Regionals Ranchlands.

42. Attached as “**Exhibit F-13**” is a true and correct copy of a 2013-2015 NorthStar package of the Champion dog food diet, ORIJEN Puppy Large.

43. Attached as “**Exhibit F-14**” is a true and correct copy of a 2013-2015 NorthStar package of the Champion dog food diet, ACANA Regionals Grasslands.

44. Attached as “**Exhibit F-15**” is a true and correct copy of a 2014-2015 NorthStar package of the Champion dog food diet, ACANA Singles Pork & Squash.

45. Attached as “**Exhibit F-16**” is a true and correct copy of a 2016-2017 NorthStar package of the Champion dog food diet, ACANA Singles Pork & Squash.

46. Attached as “**Exhibit F-17**” is a true and correct copy of a 2014-2015 NorthStar package of the Champion dog food diet, ACANA Singles Lamb & Apple.

47. Attached as “**Exhibit G**” is a true and correct copy of an excerpt of the deposition of Plaintiff Scott Weaver.

48. Attached as “**Exhibit H**” is a true and correct copy of the Expert Report of Dr. Robert H. Poppenga, DVM, PhD, DABVT.

49. Attached as “**Exhibit I**” is a true and correct copy of an excerpt of the deposition of Sean Callan taken on May 9, 2019.

50. Attached as “**Exhibit J**” is a true and correct copy of an excerpt of the deposition of Sean Callan taken on August 20, 2019.

51. Attached as “**Exhibit K**” is a true and correct copy of an excerpt of the deposition of Kenneth Gilmurray.

52. Attached as “**Exhibit L**” is a true and correct copy of an excerpt of the deposition of Jim Wagner.

53. Attached as “**Exhibit M**” is a true and correct copy of an excerpt of the deposition of Dr. Gary Pusillo.

54. Attached as “**Exhibit N**” is a true and correct copy of an excerpt of the deposition of Erik Flakstad.

55. Attached as “**Exhibit O**” is a true and correct copy of an excerpt of the deposition of Matthew Ficarelli.

56. Attached as “**Exhibit P**” is a true and correct copy of an excerpt of the deposition of Jennifer Reitman.

57. Attached as “**Exhibit Q**” is a true and correct copy of an excerpt of the deposition of Carol Shoaff.

58. Attached as “**Exhibit R**” is a true and correct copy of an excerpt of the deposition of Lisa Slawsby.

59. Attached as “**Exhibit S**” is a true and correct copy of an excerpt of the deposition of Erin Grant.

60. Attached as “**Exhibit T**” is a true and correct copy of an excerpt of the deposition of Kellie Loeb.

61. Attached as “**Exhibit U**” is a true and correct copy of the Rebuttal Expert Report of Dr. Dominique M. Hanssens.

62. Attached as “**Exhibit V**” is a true and correct copy of the Rebuttal Expert Report of Dr. Lorin M. Hitt.

63. Attached as “**Exhibit W**” is a true and correct copy of a Declaration of Jim Wagner.

I declare under penalty of perjury that the foregoing is true and correct.

Executed on this 16th day of September, 2019.

/s/ David A. Coulson
David A. Coulson